

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

May 17, 2018

**5:30 P.M.**

**MINUTES**

**Pledge of Allegiance**

(RC)

**Present:** Mayor Colin Read, Councilors Mike Kelly (W2), Peter Ensel (W4), Patrick McFarlin (W5),  
Joshua Kretser (W6)

**Absent:** Councilors **Rachelle Armstrong (W1) and Dale Dowdle (W3)**

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**MAYOR'S COMMENTS:**

**Mayor Read issued the following Proclamation:**

WHEREAS our beloved citizens of Plattsburgh, NY, now residing in nursing homes, skilled nursing care and post-acute care centers have contributed immeasurably to the heritage, success and growth of our community; and

WHEREAS nursing home residents of any age or ability are themselves living history and a precious resource; and

WHEREAS as a member of the American Health Care Association, Plattsburgh Rehabilitation and Nursing Center is holding events in observance of Nursing Home Week guided by this year's national theme of the "the Spirit of America" and

WHEREAS Nursing Home Week begins on Mother's Day, May 13 and ends on May 19, 2018;

THEREFORE do I, Colin Read, as Mayor of the City of Plattsburgh, urge everyone in the community to visit their loved one, friend or neighbor currently residing in a skilled nursing care center to show respect for all that they have given to society and to us. Let no elderly or disabled person sit alone during this time to wonder if they are valued, appreciated and loved. Let all residents of skilled nursing facilities know that they, too, are a vital piece of the Spirit of America. Visiting or volunteering your time at a local care facility is a testament to community spirit, brings honor to our fathers, mothers, grandparents and everyone in residence and lifts the spirits of caregivers who value your involvement.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the city of Plattsburgh to be affixed.

Done in the City of Plattsburgh, New York this  
seventeenth day of May in the year Two-Thousand  
Eighteen  
Mayor Colin L. Read

**Mayor Read** stated he enjoyed lunch at Meadowbrook Nursing home with residents on May 14, 2018. And mentioned yesterday Burnham Financial Advisors held a Health and Wellness Fare for employees. Representatives were here from Burnham, ProAct, BlueShield and CanaRx .He is grateful for the really good work our current benefits consultant is doing. Also, he spoke about running the city like a business which it is; the administration and various departments, however, the council is a democracy and he further spoke on that topic.

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the Regular Meeting of the Common Council held on May 10, 2018 are approved and placed on file among the public records of the City Clerk’s Office.

By Councilor Kretser; Seconded by Councilor Kelly  
(All in Favor/opposed)  
Roll call: Councilors Kelly, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the week ending May 9, 2018 in the amount of \$ 127,702.52 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor Ensel  
(All in Favor/opposed)  
Roll call: Councilors Kelly, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Minutes from the City Infrastructure Committee held on May 10, 2018
- **COUNCILOR/DEPARTMENT CHAIR COMMITTEE REPORTS:**

**Governance, Strategy, and City Operations-** Chair Councilor Kretser are meeting with community stake holders that have experience in Ethics Board and get the process going to set up in the city.

**City Infrastructure** – Chair Councilor Ensel indicated nothing new to report in the minutes of last week’s committee meeting the highlight was Andrew Durrin’s presentation.

**Finance and Budget** – Chair Councilor Kelly indicated committee met this afternoon nothing new to report.



**Public Safety** – Chair Councilor Ensel indicated he and Councilor Dowdle met this afternoon with Chief Ritter and Joe McMahon to discuss items that came up at the last Public Safety Committee meeting and Councilor Dowdle will ask Dean to get his advice on some language.

**Plattsburgh Public Library** – Chair Councilor Armstrong excused.

**MLD** - MLD Board President Councilor McFarlin indicated at last MLD Board Meeting they were pleased to have some students attend and asked questions.

**RESOLVED:** That the reports as listed are hereby ordered received and any written reports are placed on file among the public records of the City Clerk's Office.

By Councilor Ensel; Seconded by Councilor McFarlin  
(All in Favor/opposed)  
Roll call: Councilors Kelly, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the week ending May 18, 2018 in the amount of **\$ 983,817.68** are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kelly; Seconded by Councilor McFarlin  
(All in Favor/opposed)  
Roll call: Councilors Kelly, Ensel, McFarlin, Kretser  
(All voted in the affirmative)

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**6. PERSONS ADDRESSING COUNCIL ON AGENDA ITEMS ONLY: None**

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**7. OTHER ITEMS:**

**Motion to remove item 7A from the Table**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Roll call: Councilors Kelly, Ensel, McFarlin, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

**A. RESOLVED:** In accordance with the request therefore the Common Council adopts the City of Plattsburgh Code of Conduct.

Discussion:

Roll call: Councilors Kelly, Ensel, McFarlin, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**Motion to remove item 7B from the Table**

By Councilor McFarlin; Seconded by Councilor \_\_\_\_\_

**Item remains on Table since not seconded.**

Roll call: Councilors Kelly, Ensel, McFarlin, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

**B. RESOLVED:** In accordance with the request therefore the Common Council approves that the Mayor be authorized to sign an agreement with "Plattsburgh Little League, Inc." to replace the current backstop on the little league baseball field at South Platt Park. Per the agreement, the City would need to dig holes and install support poles and the Little League will provide and install the netting, padding and will perform the annual installation/removal of the netting. The cost to the City of Plattsburgh for the work associated with this agreement will be approximately \$950.00 and will be expensed out of DPW.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Kelly, Ensel, McFarlin, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**8. TRAVEL REQUEST: None**

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**9. RESOLUTIONS FOR INITIAL CONSIDERATION: None**

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**10. NEW BUSINESS AND COUNCILOR REPORTS:**

**Councilor Ensel** indicated he had met recently with Ken Knelly from Plattsburgh State regarding city/college relationship and they are going to propose having a meeting with Mayor, Councilor Dowdle, President Ettling and other administrators to explore if any interest in forming another committee.

**Mayor Read Introduced Local Law No. P-4 of the year 2018:**

A local law amending Chapter 253, Sections 2 and 12; Chapter 233, Section 37, Subsection (B); Chapter 200, Section 4; Chapter 171, Section 7; and Chapter 183, Section 9.3 of the City Code of the City of Plattsburgh.

A copy has been distributed to the entire council and has been made part of the minutes of this meeting.

**Public Hearing set: Thursday, May 31 at 5:01pm to be held in the Common Council Chambers, 41 City Hall Place, Plattsburgh, NY 12901**

**Councilor McFarlin** reminded everyone the Mayor, Common Council and Corporation Counsel Dean Schneller will hold a Charter workshop Friday, May 18, 2018 at 11:30 am in the Common Council Chambers.

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**11. CLOSING PUBLIC COMMENTS ON ANY TOPIC: None**  
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Motion to Adjourn by Councilor Ensel; Seconded by Councilor McFarlin  
Roll call: Councilors Kelly, Ensel, McFarlin, Kretser  
(All voted in the affirmative)  
**MEETING ADJOURNED: 5:56 pm**



Mayor Read introduced under New Business 05/17/18  
Set Public Hearing: Thursday, May 31, 2018 at 5:01pm

Local Law No. P-4 of the year 2018.

A local law amending Chapter 253, Sections 2 and 12; Chapter 233, Section 37, Subsection (B); Chapter 200, Section 4; Chapter 171, Section 7; and Chapter 183, Section 9.3 of the City Code of the City of Plattsburgh.

Be it enacted by the Common Council of the City of Plattsburgh as follows:

1. City Code § 253-2 “Definitions” is amended by the inclusion of subsection “7” to read as follows:

253-2-7. Parking Enforcement Officer: A peace officer, civilian parking enforcement officer within the Police Department, or code enforcement officer within the Building Inspector’s Office, who is hereby delegated authority to enforce this Chapter. This specifically includes the authority to issue and serve notices of violations and issue summonses or appearance tickets, or other associated accusatory instruments, for the enforcement of all ordinances and parking violations. In addition, the parking enforcement officer may make provide testimony at a traffic violations bureau hearing.

2. City Code § 253-12 “Violations and Fines” is amended by the inclusion of subsection “6” to read as follows:

253-12-6. A violation of this Chapter may be enforced by a police officer or a Parking Enforcement Officer. A Parking Enforcement Officer is hereby delegated authority to enforce this Chapter, which specifically includes the authority to issue and serve notices of violations and issues summonses or appearance tickets, or other associated accusatory instruments, for the enforcement of all ordinances and parking violations. In addition, the Parking Enforcement Officer may make provide testimony at a traffic violations bureau hearing.

3. City Code § 233.37(B) of the City Code of the City of Plattsburgh is amended and restated in its entirety to read as follows:

233.37(B). The Housing Code Inspector, Officer of the City Police Department, or Parking Enforcement Officer—as defined in § 253-2-7 of the Code—shall have authority to inspect and report violations of section 233.32 and 233.35 of this chapter and shall send notice of the violation and fine to the person or owner on record per the Assessor's files, at the address as on record per the Assessor's files, by registered or certified mail service. Within fourteen days from receipt of such notice, the person or owner may pay or cause to be paid to the City of Plattsburgh, through the Code Enforcement Office, as a penalty for and in full satisfaction of such violation the monetary sum as indicated by the notice of fine and violation. Such penalty shall be in addition to the cost of removal and

administrative fee as set forth in section 233.36. The failure of the person or owner to make such fine payment may result in the issuance of an appearance ticket in Plattsburgh City Court, and upon conviction therein, the person or owner shall be guilty of violating the Code of the City of Plattsburgh and shall be subject to a fine.

4. City Code § 183-19.3 of the City Code of the City of Plattsburgh is amended and restated in its entirety to read as follows:

183-19.3. The provisions of this chapter may be enforced by the Building Inspector, Housing Code Inspector, Municipal Code Inspector, Superintendent of the Department of Public Works, or Parking Enforcement Officer—as defined in § 253-2-7 of the Code.

5. City Code § 200 of the City Code of the City of Plattsburgh is amended by the inclusion of section “4” entitled “Enforcement” and is to read as follows:

200-4. Enforcement. A violation of this Chapter may be enforced by a police officer or a Parking Enforcement Officer—as defined in § 253-2-7 of the Code.

6. City Code § 171-7 of the City Code of the City of Plattsburgh is amended and restated in its entirety to read as follows:

171-7. Enforcement. This chapter may be enforced by a dog control officer appointed by the Common Council, a police officer, or a Parking Enforcement Officer—as defined in § 253-2-7 of the Code. An offense may be prosecuted by the issuance of an appearance ticket under § 150.20 of the Criminal Procedure Law.

7. This Local Law shall take effect immediately upon approval by the Mayor and filing with the New York Secretary of State.